

SENATE BILL 1116

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 20, relative to the creation of an emergency contact database.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 20, is amended by adding the following language as a new section:

4-3-2018.

(a) The department shall establish a database of emergency contacts of persons who hold driver licenses, learner permits, identification cards, and any other type of license or permit issued pursuant to title 55, chapter 50.

(b) Information in the database created in accordance with this section may only be accessed by:

(1) Employees of the division;

(2) Law enforcement officers employed by a law enforcement agency; and

(3) Employees or authorized agents of a law enforcement agency.

(c) A law enforcement officer may share information contained in the emergency contact database with other public safety workers on the scene of a motor vehicle accident or other emergency situation, as needed, to conduct official law enforcement duties.

(d) A person holding a driver license, learner permit, identification card, or any other type of license or permit may provide the division, in a

manner specified by the department, the name, address, telephone number, and relationship to the holder of no more than two (2) emergency contact persons whom the holder wishes to be contacted by a law enforcement officer if the holder:

(1) Is involved in a motor vehicle accident or other emergency situation; and

(2) Is unable to communicate with the contact person or persons.

(e) The information contained in the database created under this section:

(1) Shall only be used for the purposes described in this section; and

(2) May not be used for criminal investigation purposes.

(f) The department is directed to promulgate rules and regulations pursuant to title 4, chapter 5, to:

(1) Specify the method for a driver license, learner permit, or identification card holder to provide the division with emergency contact information;

(2) Specify the method for a driver license, learner permit, or identification card holder to change the emergency contact information; and

(3) Implement the database and assure its effective operation.

(g) If a person involved in a motor vehicle accident or other emergency situation is unable to communicate with the contact person or persons specified in the database, a law enforcement officer shall make a good faith effort to notify the contact person of the situation.

(h)

(1) A law enforcement officer or a law enforcement agency that employs a law enforcement officer shall not incur any liability if the law enforcement officer is not able to make contact with a designated emergency contact person.

(2) Except for willful or wanton misconduct, a law enforcement officer or a law enforcement agency that employs a law enforcement officer shall not incur any liability relating to the reporting or use of the database during a motor vehicle accident or other emergency situation.

(i) The department shall not be liable for any damages, costs, or expenses arising or resulting from any inaccurate or incomplete data or system unavailability.

SECTION 2. For purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect October 1, 2013, the public welfare requiring it.